

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
SOUTHERN DIVISION-CHATTANOOGA**

KONA ICE, INC.,	)	
	)	Civil Action No.: 1:17-cv-00261-HSM-CHS
Plaintiff,	)	
	)	
vs.	)	Judge Mattice
	)	Magistrate Judge Steger
HOWARD HALE, et al.	)	
	)	
Defendants.	)	

**PLAINTIFF KONA ICE, INC.'S NOTICE OF VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE PURSUANT TO RULE 41(a)(1)(A)(i)**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff Kona Ice, Inc. hereby submits this notice of dismissal of this action. Plaintiff Kona Ice notes that the opposing parties have not served either an answer or a motion for summary judgment. This notice of dismissal is without prejudice.

Dated: December 21, 2017.

Respectfully submitted,

KONA ICE, INC.

/s/ William J. Rieder  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 21, 2017, a copy of the foregoing **PLAINTIFF KONA ICE, INC.'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO RULE 41(a)(1)(A)(i)** was served via First Class Mail to Defendants Mr. Howard Hale and Fun Time Foods, LLC, 1312 Sunnyfield Lane, Chattanooga, TN 37421, and Mr. Howard Hale and Fun Time Foods, LLC, 7738 Standifer Gap Road, Chattanooga, TN 37421.

/s/ Joseph Alan Jackson II